

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF MAINE

IN RE:)	
)	
KITTERY POINT PARTNERS, LLC,)	CHAPTER 11
)	CASE NO. 17-20316
Debtor)	
)	

**ORDER GRANTING BAYVIEW LOAN SERVICING, LLC AND
M&T MORTGAGE CORPORATION FURTHER LIMITED
RELIEF FROM STAY PURSUANT TO 11 U.S.C §362(d)(1)**

On November 7, 2017, the Court granted Bayview Loan Servicing, LLC and M&T Mortgage Corporation (“Movants”) limited relief from stay pursuant to 11 U.S.C. § 362(d)(1) to continue prosecution of the appeal then pending in the Maine Supreme Judicial Court, Docket No. CV-11-177. Dkt. No. 72 (the “Law Court” and the “Appeal”). The Court’s November 7, 2017 Order further provided that Kittery Point Partners, LLC (the “Debtor”) must file a notice on the docket in this Chapter 11 case within five (5) business days after the issuance of a decision by the Law Court in connection with the Appeal informing the Court of the Law Court’s decision in connection with the Appeal.

On March 15, 2018, the Law Court issued a decision on the Appeal dismissing the Appeal as interlocutory. *Kittery Point Partners, LLC v. Bayview Loan Servicing, LLC*, 2018 ME 35, ¶8, A.3d.

After a hearing on April 2, 2018, the Court having heard the arguments of counsel, and for the reasons stated on the record during the April 2, 2018 hearing, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. The Court grants Movants further relief from stay for cause pursuant to 11 U.S.C. §362(d)(1) to proceed with obtaining final judgment in all matters before the State Courts in the case entitled *Kittery Point Partners v. Bayview Loan Servicing, LLC et. al.*, York County Superior Court, Docket No. CV-11-177 (“State Court Action”).
2. Relief from stay is expressly not granted, however, to enforce by way of execution or otherwise, on any judgment that Movants may obtain in the State Court Action.
3. The relief granted in this Order is stayed for 14 days under Fed. R. Bankr. P. 4001(a)(3).

Dated: April 10, 2018



Michael A. Fagone
United States Bankruptcy Judge
District of Maine